IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MAYOR AND CITY COUNCIL OF :

BALTIMORE, on behalf of itself and all others similarly situated :

Plaintiff, : CIVIL ACTION

: No. 23-828

:

MERCK SHARP & DOHME CORP., :

v.

Defendant.

ORDER

This 20th day of November, 2023, for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that:

- 1. Defendant's Motion to Dismiss (ECF 25) is **GRANTED** in part and **DENIED** in part.
- The Motion is GRANTED as to Plaintiff's claims under the Idaho Consumer
 Protection Act and Utah Consumer Sales Practices Act, and these claims are
 DISMISSED with prejudice.
- 3. As to Plaintiff's remaining claims, Defendant's Motion is **DENIED**.

/s/ Gerald Austin McHugh
United States District Judge